Notification No. HD 22 PES 75.

Bangalore dated 31st July 1976.

G. S. R. 231—The draft of the following rules further to amend the Karnatakt Excise (Sale of Indian and Foreign Liquors) Rules, 1968, which the Government of Karnataka Proposes to make in exercise of the powers conferred by Section 71 of the Karnataka Excise Act, 1965 (Karnataka Act No. 21 of 1966) in supersession of Notification No GSR 21 (HD 22 PES 75) dated 8th Janury 1976 published in the *Karnataka Gazette* dated 22nd Janury 1976 is hereby published as required by sub-section (1) of the said section for the information of all persons likely to be affected thereby and notice is hereby given that the said draft Rules will be taken into consideration by the Government on or after 20th August, 1976.

Any objection or suggestion which may be received from any person in respect to the said draft Rules by the State Government before the date specified above will be considered by the State Govt. Objections or suggestions may be addressed to the Commissioner for Home Affairs and Secretary to Government, Home Department, Vidhana Soudha, Post Bag No. 5351, Bangalore-560001.

1 Title and commencement:— (1) These rules may be called the Karnataka Excise (Sale of Indian and Foreian Liquors) (Amendment) Rules, 1976.

(2) They shall come into force at once.

2 **Amendment of Rule 4:**— In sub-rule (1) of Rule 4 of the Karnataka Excise (Sale of Indian and Forain Liquor) Rules, 1968 her in-after referred to as the said rules).—

(1) In sub-rule (1) after the words "the Deputy Commissioner of the District", the words "if the sale is within a disterict, or to the Excise Commissioner, if the sale is in more than one district" shall be inserted,

(2) In sub-rule (2), after item (iii), the following item shall be inserted, namely:—

"(iv) If the sale is in more than one district, the names of districts",

3 **Substitusion of new rule for Rule 5:**—For Rule 5 of the said rules the following rules shall be substituted, namely:—

"**5 Grant of licence:**—On receipt of the application under Rule 4, the Deputy Commissioner or the Excise Commissioner, as the case may be, may require such other particulars as he may deem necessary and may make inquiries for verification of the perticulars furnished by the applicant and also such other inquiries as he deems fit. If the Deputy Commissioner or the Excise Commissioner, as the case may be, is satisfied that there is no objection to grant the lionce applied for, he may grant the licence on payment of the fee prescribed under rule 8 for such linence provided that no such licence shall be granted

by the Deputy Commissioner except with the previous sanction of the Excise Commissioner".

4 **Amendment of Rule 8**:—In sub-rule (1) of Rule 8 of the said rules, for item No. 1 and entries relating thereto the following shall be substituted, namely,—

"1 Wholesale licence—	
(a) if the sale is in one district	Rs. 5000 per year.
(b) if the sale is in more than one district	Rs. 5000 and an additional fee of Rs. 500/-for every other district per year"

5 **Substitution of new Form for Form No. C. L. 1**:—For the exisiting Form No. C. L. 1 appended to the said rules the following form shall be substitued, namely,—

Form No. C. L. 1
(See Rule 3) (I)

Licence for the whole-sale vend of Indian Liquor or Foreign Liquer or both

Register No.

Name of the licenee holder

Name of agent or vender

Lecality: Town
Street
Door No

I .....the Deputy Commissioner of ....District/ the Excise Commissioner in Krrnataka, Bangalore in consideration of the payment of the prescribed licence fee of Rs .....do hereby authorises Sri .....son of Sri ....residing in ..... to sell Indian or Foreign Liquors or ar both at premises No.....situated in ....— subject to the conditions prescribed below:—

Conditions

1. The licencee shall be bound by the provisions of the Karnataka Excise Act, 1965 and any General or Special rules prescribed or which may from time to time be per prescribed thereunder.

2. The privilege under this licence extends to the sale of the Indian or foreign liquors of the brands furnished by the l cencee. Any alterations and additions to the lists furnished should be approved by the Deputy Commissioner/* Excise Commissioner. No liquors below the strength of 25° U. P. in case of Brandi, Whisky and Rum and 35° U. P. in case of Gin and not more than eight percent of alcohol by volume in case of Beer will ordinarily be included in the list.

3 The holder of this licnee shall upon requisition by any officer not below the grade of an Excise Assistant Inspector be bound to produce to such officer the original invoice showing the importation of all kinds of liquors for the sale of which this licence is granted for inspection and to allow the samples of the liquors in the shop to be tested.

4 The licencee is bound to maintain correct daily accounts of transactions and submit the return every month to the Excise officers concerned, within the first week of following month.

5 The licence may be suspended or cancelled in accordance with the provisions of Section 29 of the Act and licencee or his employee shall be liable for prosecution for breach of any of the conditions of the licence, under the provisions of the Act or the rules and orders made thereunder.

6 The licence shall continue in force till the.....

7 No liquor shall be allowed to be consumed on the premises of the shop.

8 No liquors in quantities of less than nine litres prescribed in bottles shall be sold at a time under this licence.

9 Samples of liquors in quantities not exceeding 0-180 litre may be given to licenced dealers in liquors only.

10 In the event of the licencee neglecting to carry on his business with due care and attention it shall be competent to the Deputy Commissioner/*Excise Commissioner to cancel the licence and to otherwise dispose off it at the risk of the licencee, and all loss thereby caused to gether with the loss accruing to Government in consequence of the licencee not carrying on his business, shall be made good by him. When a licence is cancelled any amount due to Government shall be payable at once and in default of payment shall be recovered with all losses as if these were arrears of land revenue.

11 The opening and closing hours of business shall be from 9-30 A. M. to 9-00 P. M.

Office of the Deputy Commissioner..... District/*
Office of the Exeise Cammissioner in Karnataka, Bangalore.

Deputy Commissioner
*.....District **
Excise Commissioner,
Bangalore.

Dated the.....197... .....
*Strike off whichever is not necessary.

By Order and in the name of the Governor of Karnataka,

M. P. JAYASHANKARA ARADHYA,
97 *Under Secretary to Government, Home Department.*